

MAY 30 2007

REMARKS**Response to Objection to Specification**

The Examiner has indicated that the reference number "428" is not found in the specification as amended in the last amendment. However, applicant's amendment (January 25, 2007) on page 5, referred to "having tissue damaging elements 428 extending out of the shaft as shown in Fig. 1". Thus, the specification does include the reference number.

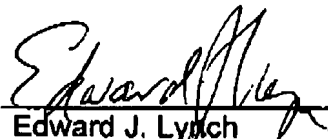
Response to Claim Rejections Under 35 U.S.C. §112

Claims 19, 20, 25-34 and 36-39 were rejected by the Examiner under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. While applicants disagree with the Examiner's position in this regard, applicants have cancelled these claims so that claims 1 and those claims depending from claim 1 can issue. Applicant intends to file a continuation application directed to the rejected claims.

Conclusion

Claims 1, 22, 23 and 26-29 appear to be in allowable condition.

Respectfully submitted,

By: 
Edward J. Lynch
Attorney for Applicants
Registration No. 24,422

DUANE MORRIS LLP
One Market
Spear Tower, Suite 2000
San Francisco, CA 94105
Telephone: (415) 957-3000
Facsimile: (415) 957-3001
Direct Dial: (415) 957-3067